



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/419,300	10/15/1999	PHIL-TAE KIM	P55862	1028

7590 10/18/2005
ROBERT E BUSHNELL
ATTORNEY AT LAW
1522 K STREET N W SUITE 300
WASHINGTON, DC 200051202

EXAMINER

ABDULSELAM, ABBAS I

ART UNIT PAPER NUMBER

2677

DATE MAILED: 10/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/419,300	KIM	
	Examiner	Art Unit	
	Abbas I. Abdulsalam	2677	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 July 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3,17,25,26,29-43 and 45-52 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 17,30,46,47 and 49 is/are allowed.
- 6) ☒ Claim(s) 1-3,17,25,26,29-43 and 45-52 is/are rejected.
- 7) ☒ Claim(s) 3,26,33-34,48 and 50-52 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is in response to a communication filed on 07/19/05. Claims 1-3, 17, 25-26, 29-43 and 45-52 are pending. Claims 4-16, 18-24, 27-28 and 44 are cancelled.

Allowable Subject Matter

2. Claims 17, 30, 46-47 and 49 are allowed.
3. Claims 3, 26, 33-34, 48 and 50-52 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

4. Applicant's arguments, see (pages 11-17), filed on 2/16/05, with respect to the rejection(s) of claim(s) 35-37, 41, 43 and 45 under U.S.C. 103(a) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Bertram et al. (USPN 5198802) and Kaneko et al. (USPN 5283562).
5. Applicant's arguments filed on 02/16/05 with respect to claims 31, 38-40 and 42 have been fully considered but they are not persuasive.

Art Unit: 2677

6. Applicant's arguments with respect to claims 1-2, 25 and 29 have been considered but are moot in view of the new ground(s) of rejection.

Regarding claims 31 and 39, applicant argues the cited reference, Bertram does not teach the cursor being automatically repositioned to the selected item of the screen. However, as mentioned in the art rejection below, Bertram illustrates the position of a cursor as shown in Fig. 2(A-C). Bertram teaches a cursor 17 may be positioned on or close to any of the four symbols for the categories and indicates as shown in FIG. 2A an operation of the enter key 31 on keyboard 21 causing the screen on display 1 shown in FIG. 2B while an operation of the mouse key 19 causing the screen shown in FIG. 2C. Bertram further discloses that when the entry was made by keyboard, the computer operating system has repositioned cursor 17 concurrent with the new screen, so that cursor 17 is located at the designation of the top application. (col. 5, lines 27-49).

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 31 is rejected under 35 U.S.C. 102(b) as being anticipated by Bertram (USPN 5198802).

Art Unit: 2677

Regarding claim 31, Bertram teaches a method of controlling a pointer on a display, comprising: pressing a button on a control panel causing a main menu to appear and simultaneously and automatically causing the pointer to appear within the main menu the main menu having a plurality of menu items (Fig. 2A (1, 17) and col. 5, lines 21-40), the pointer being automatically placed in a first of said plurality of menu items (Fig. 2A (information) and col. 5, line 27); manually manipulating a device causing the pointer to gradually move to a user selected menu item (col. 5, lines 37-40); and pressing a button on the control panel causing selection of said menu item containing said pointer and thus automatically causing a sub menu to appear on the display and simultaneously, suddenly and automatically causing said pointer to move to said sub menu (col. 5, lines 40-43, col. 5, lines 45-47 and Fig 2B (17)).

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 32, 38-40 and 42 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bertram (USPN 5198802).

Art Unit: 2677

Regarding claim 39, Bertram teaches a method for controlling the location of a pointer on a display, comprising: displaying a main menu having a plurality of menu items while simultaneously displaying the pointer on the display (Fig. 2A (1, 17) and col. 5, lines 21-40), moving a location of the pointer on the display to one of said plurality of menu items on said main menu (col. 5; lines 37-40, Fig. 2A (information) and col. 5, line 27); selecting said menu item where said pointer is present by user pushing a button on a control; and suddenly displaying a submenu comprising a plurality of sub menu items on said display while simultaneously and automatically having the location of the pointer on the display to skip to a location within said submenu (col. 5, lines 40-43, col. 5, lines 45-47 and Fig 2B (17)).

Bertram does not specifically teach the “user manipulation of a trackball”. On the other hand, Bertram teaches the use of either a keyboard (21) or a mouse (13). (Col. 5 lines 37-39).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to replace the input device (13, 21) by an alternative input device that is functionally equivalent because is well known to utilize a variety of input device for the purpose of cursor manipulation,

Regarding claim 38, teaches control panel being on a remote control device physically separated from the display (col. 5, lines 37-39).

Regarding claim 40, Bertram teaches said submenu being distinguished from said main menu (col. 5, lines 40-43).

Regarding claim 42 Bertram teaches said display being a high definition television (col. 4, lines 40-43).

Regarding claim 32, Bertram does not specifically teach “user manipulation of a trackball”. On the other hand, Bertram teaches the use of either a keyboard (21) or a mouse (13) (col. 5, lines 37-39).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to replace the input device (13, 21) by an alternative input device that is functionally equivalent because it is well known to utilize a variety of input device for the purpose of cursor manipulation.

9. Claims 1-2 25, 29, 35-37, 41, 43 and 45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bertram (USPN 5198802) in view of Kaneko et al. (USPN 5283562).

Regarding claim 1, Bertram et al (hereinafter = “Bertram”) teaches a method, comprising the steps of: displaying a menu and an indicator on a display screen for selecting one of menu items of said menu; (Fig. 2A (1, 17) and col. 5, lines 21-36), making a selection of a menu item by using an indicator; (col. 5, lines 37-39) displaying a sub menu corresponding to the selected menu item (Fig. 2B(1, 17) and col. 5, lines 39-42), with said menu being comprised of a plurality of sub menu items contextually related to said menu items (col. 5, lines 44-45); and automatically adjusting the position of said indicator to be located within said sub menu (col. 5,

Art Unit: 2677

lines 45-49); storing a location of the selected menu item within a display screen (col. 7, lines 47-54).

Bertram does not teach “automatically adjusting the display of said indicator to the stored location of the selected menu item when said sub menu is erased”.

Kaneko on the other hand teaches as shown in Fig. 6(A-C) that a display mode is shifted from the mode of displaying the enlarged map to the mode of displaying the wide area map, a cursor frame is displayed on a position on a parent screen corresponding to the divided area which has been displayed in an enlarged manner just before the shift of the display mode. (see the abstract, col. 4, lines 51-67 and Fig. 6 (c)).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Bertram’s display system shown in Fig. 2 to adapt Kaneko’s cursor frame display with respect to a parent screen as illustrated in Fig. 6 because the use of cursor frame helps function a display system in different modes as taught by Kaneko.

Regarding claim 2, Bertram teaches automatically, initially displaying said indicator superimposed upon a first sub menu item of said sub menu upon displaying of said sub menu (Fig. 2B (17) and col. 5, lines 50-53).

Regarding claim 25, Bertram teaches said indicator being a pointer (Fig. 2A (17) and col. 5, lines 24).

Art Unit: 2677

Regarding claim 29, Kaneko teaches the step of erasing submenu automatically causing said menu items to reappear and automatically and simultaneously causing said indicator to skip back to said previously selected menu item (col. 4, lines 51-67 and Fig. 6 (c)).

Regarding claims 35-37, 41, 43 and 45, Bertram does not teach causing said submenu to disappear causing said display said menu with the pointer in previously selected menu item of said main menu.

Kaneko on the other hand teaches as shown in Fig. 6(A-C) that a display mode is shifted from the mode of displaying the enlarged map to the mode of displaying the wide area map, a cursor frame is displayed on a position on a parent screen corresponding to the divided area which has been displayed in an enlarged manner just before the shift of the display mode. (see the abstract, col. 4, lines 51-67 and Fig. 6 (c)).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Bertram's display system shown in Fig. 2 to adapt Kaneko's cursor frame display with respect to a parent screen as illustrated in Fig. 6 because the use of cursor frame helps function a display system in different modes as taught by Kaneko.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Abbas I Abdulsalam whose telephone number is (571) 272-7685. The examiner can normally be reached on Monday through Friday from 9:00 A.M to 5:30 P.M.

Art Unit: 2677

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amr Awad can be reached on (571) 272-7764. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Abbas abdulsalam

Examiner

Art unit 2677

October 16, 2005

AMR A. AWAD
PRIMARY EXAMINER
Amr Awad